



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ENTERED
10/05/2011

IN RE:

ROYCE HOMES, L.P.,

DEBTOR.

RODNEY D. TOW,
CHAPTER 7 TRUSTEE

PLAINTIFF,

v.

JOHN H. SPEER, et al.,

DEFENDANTS.

CASE NO. 09-32467-H4-7

CHAPTER 7

ADVERSARY NO. 11-03191

ORDER

On this day came on to be considered Vestalia, LLC's and Rodney Tow, Chapter 7 Trustee's Agreed Motion to Extend Certain Deadlines. Based upon the agreement of Vestalia and the Trustee as set forth in the Motion, the Court is of the opinion that the Motion should be granted. It is therefore

ORDERED that the Trustee shall have twenty-one days from the earlier of the entry of an order denying the Trustee's Motion to Reconsider [dkt. no. 181], or from the entry of any subsequent order ruling on Vestalia's Motion to Dismiss [dkt. no. 113] to file an amended complaint making factual allegations that, if accepted as true by this Court, would satisfy the elements required for a constructive fraudulent transfer claim under TUFTA or an actual fraud cause of action under TUFTA and DUFTA; and it is further

ORDERED that if the Trustee chooses not to file such an amended complaint but rather requests this Court in a written pleading to make a report and recommendation to the District Court the Trustee shall have twenty-one days from the earlier of the entry of an order denying the Trustee's Motion to Reconsider [dkt. no. 181], or from the entry of any subsequent order ruling on Vestalia's Motion to Dismiss [dkt. no. 113] to file such pleading; it is further

ORDERED that Vestalia is granted an extension of fourteen days from the earlier of the entry of an order denying the Trustee's Motion to Reconsider [dkt. no. 181], or from the entry of any subsequent order ruling on Vestalia's Motion to Dismiss [dkt. no. 113] to file a response to the Amended Complaint.

SIGNED this 5th day of October, 2011.



THE HONORABLE JEFF BOHM
UNITED STATES BANKRUPTCY JUDGE

PREPARED & SUBMITTED BY:

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